

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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1199SEIU UNITED HEALTHCARE WORKERS
EAST,

20-Cv-3611 (JGK)

Petitioner,

ORDER

- against -

PSC COMMUNITY SERVICES, ET AL.,

Respondents.

GUZMAN, ET AL.,

20-Cv-3929 (JGK)

PLAINTIFFS,

ORDER

- AGAINST -

FIRST CHINESE PRESBYTERIAN COMMUNITY
AFFAIRS HOME ATTENDANT CORPORATION

DEFENDANT.

ALVARADO, ET AL.

20-Cv-3930 (JGK)

PLAINTIFFS,

ORDER

- AGAINST -

ALLIANCE FOR HEALTH, INC.,

DEFENDANTS.

JOHN G. KOELTL, District Judge:

The Court will hear argument on the parties' pending motions on **December 14, 2020, at 2:30 pm.**

The Court orders the parties in the 1199SEIU case (20-cv-3611) to file supplemental briefing addressing the following points:

1. For each individual intervenor, a brief answer to the factual question of whether the individual was a member of the 1199SEIU at the time (A) the relevant Memorandum of Agreement ("MoA") took effect, (B) the MoA was executed, and/or (C) at the time 1199SEIU began the grievance process at issue here.
2. The three cases which the parties assert best support their respective arguments regarding whether 1199SEIU may properly represent and bind its members with the grievance and arbitration process, who were not employees at the time the MoA either was executed or took effect.
3. A comprehensive list of every state court case brought by employees against Respondents addressing related claims, which reached a final judgment, prior to filing of the Petition in 1199SEIU, and courtesy copies of such judgments. The parties should clearly state their position on whether each case would be the basis for a claim of issue preclusion, claim preclusion, or the Rooker-Feldman doctrine.
4. The three cases which the parties assert best support their respective arguments regarding whether the Award is sufficiently ripe and final for review.

The Court orders the parties in the Guzman and Alvarado cases (20-cv-3629 and 20-cv-3630) to file supplemental briefing addressing the following points:

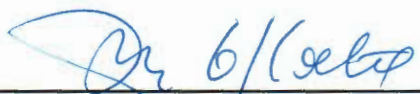
1. For each named plaintiff in Guzman and Alvarado, a brief answer to the factual question of whether each individual was a member of the 1199SEIU at the time (A) the MoA took effect, (B) the MoA was executed, and/or (C) at the time the 1199SEIU began the grievance process at issue here.
2. The three cases which the parties believe best support their respective arguments regarding whether removal was proper and timely.

The parties with similar interests are strongly encouraged to coordinate to reduce redundant briefing.

All supplemental submissions should be submitted no later than **December 7, 2020**.

SO ORDERED.

**Dated: New York, New York
November 24, 2020**



John G. Koeltl
United States District Judge